

1845-006 Chancery Causes: Frances Parr & al vs Phineas Parr & al, by & c

Isle of Wight County

infant defendants and if there be
no such proceedings, that the said com-
missioner do return said bonds to the
court, that he execute to the purcha-
ser a deed without warranty, and
report his proceedings to the court in
order to a final decree

Parro

vs. ³/₄ Chase

Parro per pro

July 1st 1841. Bill

of filed & inty dem.

Sept. 8th 1841. Report

return and costs

July: 1845.

final decree.

The purchase of the remainder directed to be sold by the said will your orators Frances A Parr and Charlotte B Parr being of lawful age are anxious to have and enjoy their portions of the said land, and wish the same to be sold for a division. This they have no power to do and the land is of no value to them as to the infants in its present condition. To the end therefore that relief may be had ~~for~~ and as much as they are without remedy at law your orators pray the court that the said Phinehas, Richard and ~~John~~^{Jordan} Parr be made defendants to this bill and by their ~~guardians~~ for that purpose to be appointed they be required to answer the premises fully and distinctly and by a decree of the court the said moiety of land may be sold and the proceeds of sale be equally divided amongst your orators Frances A and Charlotte B and the said infant defendants Phinehas, Richard, and ~~John~~^{Jordan} Parr and may it please the court to grant all such further relief as may be found necessary in the premises & consistent with equity, and your orators as in duty will &c

Admission

~~John Parr~~
 Frances Parr, & Frances A Parr and
 Charlotte B Parr plaintiffs
 Against Lee Channing
 Phineas Parr, & Richard Parr, ~~and John~~
~~and John Parr~~ infants under 21 years by
 Nathaniel Young their guardian
 defendants

By consent of parties and with the consent of the court this cause was this day docketed and came on to be heard on the bill, answer, and exhibit filed and was argued by counsel on considerations where the court settle and judge order and decree that John Phillips who is appointed a commissioner for that purpose after giving fifteen days public notice in writing ^{as public auction} ~~and~~ on a credit of nine months (except a sum in cash sufficient to pay all expenses attending this decree and the sale) the undivided moiety of one hundred acres of land devised by William Parr to his wife for life with remainder to his five children Francis A, Charlotte B, Phineas, Richard, and ~~John~~ ^{Jordan} Parr that ^{for} of the net proceeds he take five bonds ^{with good security} of the purchase for one fifth of said proceeds each payable to each of the plaintiff and defendant and children of the said Mrs Parr that he deliver one of said bonds to each of the plaintiff Francis A and Charlotte B, and deliver the other three to the legal guardians of the

To the justices of the county court of
Interpight in chancery sitting

Assembly complaining these unto the court
your orators Frances Parr, Frances A Parr
and Charlotte B Parr that a certain William
Parr late of said county died on or about
the day of Aug 1838 having first made
and published his last will & testament
which has been duly proved and admitted
to record in said county an attested
copy whereof is herewith filed marked A
and is prayed to be taken as part of
this bill: At the time of his death the
said William Parr was seized in fee of
an ~~undivided~~ moiety of a tract of land
in said county containing by exten-
sion one hundred acres adjoining the
land of Watson P Jordan, John Thivars
and others: by the said last will &
testament the said William Parr devised
the said moiety to his widow for life
who is your orator Frances Parr, and
at her death directed the same to
be sold and the proceeds to be equally
divided between five of his children
to wit your orators Frances A Parr
and Charlotte B Parr, and Phineas
Richard, and ~~John~~ ^{John} Parr which three
last named are now infants un-
der the age of 21 years: The said land
being unimproved and of little or no
annual value your orator Frances
is willing to surrender her life estate
to her said five children, and join
in a deed to whoever may become

Infants
arrived

The answer of Phineas Parr, Richard
Parr ^{and Joseph Parr} ~~and Joseph Parr~~, infants
under 21 years by Nathaniel
Young their guardian litens to a bill
exhibited against them in Waporg
county court by ~~Robert B. Parr~~
Francis Parr, Francis A Parr and Charlotte
B Parr -

These respondents by their said guardian
for answer to said bill answer and say
that being infants they are ignorant of
their right in the land devised to them
by their said father William Parr and
have no consent to give, but beg leave
to place themselves under the protection
of the court in any decree to be made
in the cases asking that their interests
may be duly preserved. Having thus
answered they pray to be dismissed with
their costs &c

Signed
Nath. Young Esq ad
litens -

authorized to refer a deed to
the purchaser as the sale was
made publicly at the courthouse
your commissioner herewith re-
turns the five bonds taken for
the benefit of the parties, and
moreover states that the attorney
and clerk have declined
receiving their fees until the
final decision of the court.
All which is respectfully sub-
mitted to the court.

John Phillips

Parr's as Parr
comer
report

This assurance was given by Noah May who owns the other half of the land. John Thiers the purchaser at the rate agreed to buy the land and let raise May have it for fifty dollars. He appears afterwards that the

Pursuant to the annexed decree of the county court of Washington dated the 1st day of February 1941 the undersigned commissioner named in said decree after advertising the time and place twenty days previous to the sale and sell to the highest bidder one half of the undivided tract of land named in the decree containing one hundred acres, at which sale John Thiers became the purchaser at the sum of twenty dollars. From this sum I deducted the expenses of the clerk to wit Attorney fee ten dollars, clerk's fees five dollars, and commission to the undersigned one dollar amounting to sixteen dollars which being deducted leaves the sum of four dollars, for which he has taken five bonds for 80 cents each payable to the parties as required by the decree and has reported to the said John Thiers a deed for the land without comment. The parties appear to your court with dissatisfied at the price for which the land sold and were unwilling to receive any thing; your court considers it a great sacrifice and believes the parties would never have consented to the sale, but for ^{previously given} ~~an assurance~~ that the land should sell for at least eighty dollars.* This assurance however was not complied with, and your commissioner did not feel

In Island of the County Court. February 1st 1841.

Frances Parr, Frances A Parr & Charlotte Parr. Pts.

vs.

Phonias Parr, Richard Parr and Jordan Parr
infants under the age of 21 years by Nathl.
Young, their Guardian ad litem.

for Chg.

Defts.

On motion of the Pts. Nathl. Young is appointed Esq. ad litem
to the infants defendants. And this Cause by consent of parties
and with the assent of the Court came on this day to be heard
on the Plea, answers and exhibits filed and was argued by
Counsel; on consideration whereof the Court doth adjudge
order and decree that John Phillips who is appointed a
Commissioner for that purpose, after giving fifteen days public
notice in writing, do call at public auction, on a credit
of nine months except a sum in cash sufficient to pay
all expenses attending this decree and the sale, the unde-
-rived moiety of one hundred acres of land devised
by Wm Parr to his wife for life with remainder to his
five children Frances A., Charlotte B., Phinias, Richard
and Jordan Parr. That for the rate provided, he take five
bonds with good security of the purchaser, for one fifth
of the rate provided each, payable to each of the Plaintiffs
and Defendants Children of the said Wm Parr, that he
deliver one of the said bonds to each of the Plaintiffs
Frances A. and Charlotte B. and deliver the other three
to the legal guardians of the Defendants (infants) and if
there be no such Guardian, that the said Commissioner
do return said bonds to the Court. That he execute
to the purchaser a deed without warranty and report
his proceedings to the Court in order to a final decree.

Copy Teste

Nathl. Young Esq.

Cash \$15.00

Parr's

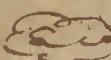
as

} Inty. decr.

Parr's 7 f.

whole sole executing to this my last will and testament
in writing whereof I have hereunto set my hand. Seal
this 19th day of July 1838.

Signed sealed and acknowledged
in the presence of:

William Parr 

Jordan Parr

John Phillips

Francis M. Boykin

Attest Dr. R. Young D.C.

W. Parr attes

Copy

In the name of God am, I William Parr of the County
of Isle of Wight and state of Virginia being sick and weak
in body but of perfect sound mind and memory. do
constitute, make and ordain this my last will and
testament in manner and form as followeth, to wit:
Item 1st I give unto my son William I. Parr to have
and am hundred dollars to him and his heirs forever.
Item 2^d I give unto my daughter Susan Bracy
seventy five dollars to him and his heirs forever. Item
3^d I give unto my son John W. Parr one hundred
dollars to him and his heirs forever. Item 4th I give
unto my daughter Francis Parr fifty dollars to her and her heirs
forever. Item 5th I give unto my daughter Charlotte Parr
fifty dollars to her and her heirs forever. Item 6th I give
unto my son Phineas Parr, fifty dollars to him and his
heirs forever. Item 7th I give unto my son Richard
Parr fifty dollars to him and his heirs forever. Item
8th I give unto my son Jordan Parr fifty dollars to
him and his heirs forever. Item 9th the balance
of my estate which I have not already given away
I leave unto my loving wife Francis Parr during her life
and for her to give my three youngest children, to wit
Phineas W. Richard and Jordan Parr an good schooling
Item 10th It is my will and desire that at the death
of my wife Francis Parr, that all the property
remaining which I loaned to her during her life should
be sold and equally divided between Francis, Charlotte,
Phineas W., Richard & Jordan Parr their heirs forever.
lastly I do hereby appoint my wife Francis Parr

This is to certify to the court of
Windsor county that I Frances
Parr holding an estate for life in
one half of a tract of land in said
county, ^{containing one hundred acres} devised to me by my late
husband with remainder to his chil-
dren Frances A, Charlotte B, Phineas
Richard, and ~~John~~ ^{Jordan} Parr and to be
sold at my death, and willing
for the same to be now sold and
the proceeds divided amongst the
children aforesaid relinquishing
to them all my interest, and
being willing to join in a deed
to whoever may become the
purchaser given under my hand
this 30 day of January 1841

Teste
John Phillips

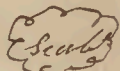
^{her} Frances + Parr
^{my} Frances A Parr
Charlotte B Parr

seal

We authorize Joel Hollenback to ob-
tain a decree for the sale of the above
mentioned land

Teste

nine month after date we John W. Thivers and
Albert G. Thivers promise to pay or cause to be paid
Richard Parr his heirs or assigns the just sum of
Eighty cents . . . it being his proportion of the nett
proceeds of the sale of tract of land being one of
the tracts of land which Wm Parr did seiz & possess
lying on the boleing green road & which was sold by
virtue of a decree of the Court of sechof wight
county for a division between the Children of the
said Parr for the true payment where of we
bind ourselves & our heirs firmly by these
presents witnesses our hands & seals this --
1st day of march. 1741-

John W. Thivers 

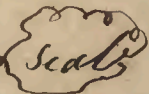
Albert G. Thivers 

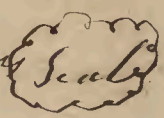
nine month after date we John M. Shivers and
attorn^y G. Shivers promise to pay or cause to be paid unto
Thomas Parr his heirs or assigns the just sum of Eighty
~~cents~~ ~~per cent~~ it being his proportion of the
nett proceeds of the sale of a tract of land lying on
the boling green road & being one of the tracts of
land of which Wm Parr died seized & possessed &
which was sold by virtue of a decree of the Court
of gloucestershire County for a division between the
children of the said Parr for the true payment
whereof we bind ourselves & our heirs firmly by
these presents witness our hands & seals this
1st day of march 1841

John M. Shivers 

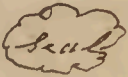
Albert J. Shivers 

nine months after date we John No. Shivers and
Albert G. Shivers promise to pay or cause to be paid unto
Charlotte B. Parr her heirs or assigns the just sum of
Eighty cents - it being her proportion of the
net proceeds of the sale of a tract of land lying
on the Holing green road & being one of the tracts
of land of which W^m Parr died seizer & possessor
& which was sold by virtue of a decree of the Court
of escheator County for a division between the
Children of the said Parr for the true payment
whereof we bind our selves & our heirs firmly
by these presents witness our hands & seals
this 1st day march 1848

John No. Shivers 

Albert G. Shivers 

nine months after date we John Mc. Shivers and Albert G.
Shivers — promise to pay or cause to be paid unto
Jordan Parr his heirs or assigns the just sum of Eighty
cents it being his proportion of the
nett proceed of the sale of a tract of land lying on the
looking green road & being one of the tracts of land
of which Wm Parr died seized & possessed and which
was sold by virtue of a decree of of the Court of
Eschewright County for a division between the
Children of said Parr for the true payment
whereof we bind our selves our heirs firmly by
these presents witness our hands & seals this
1st day of march 1841

John W. Shivers 

Albert G. Shivers 

nine months after date we John Mc. Thivers and Albert
L. Thivers . . . promise to pay or cause to be paid unto
Frances A. Parr her heirs or assigns the just sum of
Eighty cents — it being his proportion of the
net proceeds of the sale of a tract of land lying
on the boiling green road & being one of the tracts
of land of which Wm Parr died seized & possessed &
which was sold by virtue of a decree of the court
of sleepwright county for a division between the
children of the said Parr for the true payment
whereof we bind ourselves & our heirs firmly
by these presents witness our hands & seals
this 1st day of march 1841

John Mc. Thivers.

Albert L. Thivers

Seal

Seal